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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11
12 THOMAS MISDAY,

13 Plaintiff,

14 vs.

15 ALLIED COLLECTION SERVICE, INC.;
16 OCWEN LOAN SERVICING, LLC; WELLS
FARGO FINANCIAL NATIONAL BANK,
17 EXPERIAN INFORMATION SOLUTIONS,
INC.,

18 Defendants.
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Case No. 2:15-CV-01890-RFB-PAL

Consolidated with:

Case No. 2:15-cv-01894-RFB-PAL

Case No. 2:15-cv-01907-RFB-PAL

Case No. 2:15-cv-02018-RFB-PAL

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE OF
DEFENDANT OCWEN LOAN
SERVICING, LLC**

20 Plaintiffs Barbara Misday and Thomas (“Plaintiffs”), by and through their counsel of
21 record, Haines & Krieger, LLC, and Defendant Ocwen Loan Servicing; LLC (“Ocwen”), by and
22 through their counsel of record, Wright, Finlay& Zak, LLP, hereby stipulate and agree as
23 follows:

24 WHEREAS, the above captioned action concerns credit reporting related to a Note and
25 Deed of Trust (the “Loan”) involving real property located at 2234 Lucerne Drive, Henderson,
26 Nevada 89014, Assessor’s Parcel Number 178-07-110-060 (“Property”);

27 WHEREAS, Plaintiffs Thomas and Barbara Misday (hereinafter, “Plaintiffs” or the
28 “Misdays”) filed four separate actions in this District that involve common questions of law and

1 fact: *Thomas Misday v. Allied Collection Services, Inc., et. al.*, Case No. 2:15-CV-01890-RFB-
2 PAL filed on October 1, 2015 (“Action 1”); *Thomas Misday v. Nevada Credico Inc., d/b/a*
3 *Quantum Collections, et. al.*, Case No. 2:15-CV-1894-GMN-VCF, filed on October 2, 2015
4 (“Action 2”); *Barbara Misday v. Allied Collection Service, Inc., et.al.*, Case No. 2:15-CV-
5 01907-JAD-NJK, filed on October 5, 2015 (“Action 3”); *Barbara Misday v. BMW Financial*
6 *Services, et.al.*, Case No.2:15-CV-02018-RFB-PAL, filed on October 19, 2015 (“Action 4”),
7 with all four actions involving complaints alleging causes of action against Ocwen for violations
8 of the federal Fair Credit Reporting Act;

9 WHEREAS, on January 7, 2016, this Court entered a Transfer and Consolidation Order,
10 consolidating Actions 1, 2, 3 and 4, with Case No. 2:15-cv-1890-RFB-PAL serving as the Base
11 Case;

12 WHEREAS, on March 16, 2016, Plaintiffs filed a First Amended Complaint in the Base
13 Case, consolidating the causes of action contained in the complaints filed in Actions 1, 2, 3, and
14 4;

15 WHEREAS, the parties have come to a global settlement agreement regarding the
16 disputes arising out of Actions 1, 2, 3 and 4, and have executed a settlement agreement.

17 NOW WHEREFORE, in resolution of the claims against Ocwen alleged in the
18 Complaints filed in Actions 1, 2, 3 and 4 and the claims against Ocwen alleged in the First
19 Amended Complaint,

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1 IT IS HEREBY STIPULATED AND AGREED that the Complaints filed in Actions 1, 2,
2 3, and 4, and the First Amended Complaint, are dismissed with prejudice as to Defendant
3 Ocwen, with each party to bear their own fees and costs.

4 IT IS SO STIPULATED AND AGREED.

5
6 DATED this 14th day of April, 2016.
7 **HAINES & KRIEGER, LLC**

8 /s/ David H. Krieger, Esq.
9 David H. Krieger, Esq.
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11 8985 S. Eastern Ave., Suite 350
12 Henderson, Nevada 89123
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14 Fax: (702) 385-5518
15 *Attorneys for Plaintiffs, Barbara Misday and*
16 *Thomas Misday*

DATED this 14th day of April, 2016.
WRIGHT, FINLAY & ZAK, LLP

/s/ Natalie C. Lehman, Esq.
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Attorneys for Defendant, Ocwen Loan
Servicing, LLC

17 **ORDER**

18 IT IS SO ORDERED.

19 Dated this 21st day of April, 2016.

20 

21 RICHARD F. BOULWARE, II
22 United States District Judge

23 *Respectfully submitted by:*
WRIGHT, FINLAY & ZAK, LLP

24 /s/ Natalie C. Lehman, Esq.
25 Natalie C. Lehman, Esq. (NV Bar No. 12995)
26 *Attorneys for Ocwen Loan Servicing, LLC*
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